Subject: Fw: Bill to curb predatory towing practices passes Senate committee
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Date: 6/27/2019, 10:10 PM
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From: Eric Rose <eric@ekapr.com>
Sent: Wednesday, June 26, 2019, 05:05:35 PM PDT
Subject: Bill to curb predatory towing practices passes Senate committee

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https://www.timesheraldonline.com/2019/06/26/bill-to-curb-predatory-towing-practices-passes-senate-committee/

By Rachel Raskin-Zrihen | rzrihen@timesheraldonline.com | Vallejo Times Herald

When the last thing you have that connects you to a “normal” life is your vehicle, and that vehicle is towed over unpaid parking tickets, it can send you into an often irreversible downward spiral.

A bill by Assemblymember David Chiu (D-San Francisco) to scale back towing practices that harm low-income people is currently on its way through the state Legislature. Assembly Bill 516, which passed the Senate Transportation Committee this week, would eliminate towing conducted to compel payment for unpaid parking tickets.

“Taking someone’s car away for the sole reason of collecting a debt is not going to help that person pay that debt,” Chiu said. “Towing should be used to ensure proper traffic flow and public safety, not to push poor people further into poverty.”

For the tens of thousands of middle- and low-income Californians who have had their vehicles towed every year, it can lead not only to the permanent loss of a car, but also the loss of employment, access to school and medical care, and for some, their only shelter, according to the announcement.

Vallejo Together founder Maria Guevara said it’s a sad — and all too common — story.

Sometimes, a person’s vehicle is their “last place of security and comfort. It is what they can claim as their own as the find a way to rebuilt their lives,” Guevara said. “Many have taken all they can into the vehicle to survive – children, pets, aging parents,” as they try to live “with dignity”…”when they park their abode in the streets. When this is taken from them, their hope is lost.”

Vallejo Together is working toward finding a place for “a Safe Park where family and friends in need can park safely. To join this endeavor call (707) 655-5381or email vallejotogether@gmail.com.”

Recent amendments narrow the new bill's scope, according to the announcement. The legislation no longer prohibits towing where the car registration is more than six months out of date or where a car has been legally parked for over 72 hours, it says. However, in order to tow a car that has been legally parked for over 72 hours, a local government or parking enforcement agency must first provide five business days' notice. AB 516 would still eliminate tows where the owner has five or more unpaid parking tickets.

In California, it typically costs a minimum of $500 to retrieve an impounded car, and if it was towed to collect a debt like unpaid parking tickets, the owner must first pay off those debts and cover daily vehicle storage fees before they can pay to get their car back. This can approach $1,500 — an impossible amount for people in dire straits.

A recent federal report showed that 40 percent of Americans lack the savings necessary to cover an unexpected expense of $400. So, a tow can often mean permanent loss of the vehicle.

When a car owner is unable to pay debts or towing fees, the local government and towing company try to recover those debts by selling the car at a lien sale. However, data from municipalities around California show that towed vehicles are usually sold for an average of $2,000 less than what it costs to tow and store them, the announcement says.

"In San Francisco, half of all vehicles towed for debt collection are sold at lien sales, meaning that half of debt collection tows result in no debt collection," it says. "The inability to recover the true cost of the tow — combined with the fact that a majority of debts are never collected — makes towing as a debt collection tool incredibly ineffective."

It's a no-win situation, the announcement says.

"This bill leaves intact two dozen other statutory grounds that a local government can rely on to tow a car, ensuring that localities are still able to enforce traffic laws and maintain public safety," it says. "If a local government passes an ordinance to enumerate a specific reason to tow, that local ordinance would supersede state law, further preserving local control."

Proponents also say that if AB 516 is enacted, "many other enforcement mechanisms will remain to ensure that Californians who are able to afford to pay parking tickets and registration fees are compelled to do so," and that "local agencies and state government would still be able to intercept tax refunds, suspend a person's license, enter a civil judgment against an offender, or use bank levies and wage garnishments to compel a person to pay parking tickets."

The ACLU of California, Lawyers' Committee for Civil Rights, and Western Center on Law and Poverty are co-sponsoring AB 516, which now moves on to the Senate Public Safety Committee.